

REMARKS

Entry of the foregoing and reconsideration of the subject application are respectfully requested in light of the amendments above and the comments which follow.

Claims 1-12 were pending in this application. In this response, claims 1 and 4 have been amended, with claim 4 being amended merely to change its dependency from claim 1 to claim 2. Thus, claims 1-12 remain pending.

Support for the foregoing amendments can be found, for example, in at least the following locations in the original disclosure: the original claims and the drawing figures.

Entry of the foregoing is appropriate pursuant to 37 C.F.R. § 1.116 for at least the following reasons. The amendments raise no new issues that would necessitate further search and/or substantive reexamination and presents claims that, in conjunction with the below remarks, are allowable.

ALLOWABLE SUBJECT MATTER

Applicants appreciate the indication of allowance of claims 6-8 and 10.

TELPEHONIC INTERVIEW

The Examiner is thanked for her time and comments in the interview of January 13, 2009. The disclosure of Lusty was discussed, specifically the designations in the reference (as shown, e.g., in annotated FIG. 15 in the Official Action) as they relate to the claim language. The interview included a discussion of interior angle and exterior angle, common geometric terms as shown by the attached printout from Weisstein, Eric W. "Exterior Angle." From Mathworld – A Wolfram Web Resource. (<http://mathworld.wolfram.com/ExteriorAngle.html>).

CLAIM REJECTIONS UNDER 35 U.S.C. §102

Claims 1-5, 9, 11 and 12 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,911,370 to Lusty (hereafter "*Lusty*") on the grounds set forth at paragraph 2 of the Official Action. This rejection is respectfully traversed.

To anticipate a claim, the reference must teach all of the elements of the claim. See MPEP § 2131. Comparing the disclosure in *Lusty* to the claims of the present application at issue here, the *Lusty* patent does not disclose an arrangement that includes a second section is oriented in a radial direction relative to an axis of rotation of the rotor. As designated in annotated Fig. 15 in the Official Action, the second section is perpendicular to the defined radial direction. In light of at least this difference, Applicants respectfully submit that an anticipatory rejection is improper since *Lusty* does not disclose the invention as claimed. Accordingly, withdrawal of the rejection is respectfully requested.

Further, Applicants respectfully object to the values of the obtuse angle and the second angle asserted in the rejection. Applicants do not agree that the annotated obtuse angle and second angle have values or represent angles of approximately 130 degrees and approximately 94 degrees, respectfully.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 2-5 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lusty for the reasons presented at page 4 of the Official Action. This rejection is respectfully traversed.

To the extent the rejection is under § 103(b), Applicants respectfully note that to establish a prima facie case of obviousness, all of the features of the claims must be rejected based on the

prior art references or proper combinations and/or modifications. *See, KSR Int'l Co. v. Teleflex, Inc.*, 550 U.S. ___, (2007). However, here at least the claimed feature of a second section oriented in a radial direction relative to an axis of rotation of the rotor is completely missing from the reference and from the rejection. Because at least this claimed feature is lacking from the rejection, a prima facie case of obviousness has not been established. Accordingly, withdrawal of the rejection is appropriate.

CONCLUSION

From the foregoing, further and favorable action in the form of a Notice of Allowance is earnestly solicited. Should the Examiner feel that any issues remain, it is requested that the undersigned be contacted so that any such issues may be adequately addressed and prosecution of the instant application expedited.

Respectfully submitted,

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Date: January 16, 2009

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ATTACHMENT

Printout from Weisstein, Eric W. "Exterior Angle." From Mathworld – A Wolfram Web Resource. (<http://mathworld.wolfram.com/ExteriorAngle.html>).

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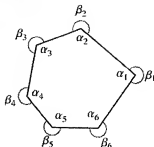
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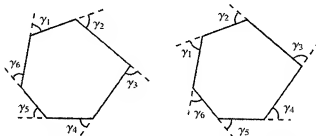
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Exterior Angle



An **exterior angle** β of a polygon is the angle formed externally between two adjacent sides. It is therefore equal to $2\pi - \alpha$, where α is the corresponding **interior angle** between two adjacent sides (Zwillinger 1995, p. 276).



Consider the angles γ_i formed between a side of a polygon and the extension of an adjacent side. Since there are two directions in which a side can be extended, there are two such angles at each vertex. However, since corresponding angles are opposite, they are also equal.

Confusingly, a bisector of an angle γ is known as an **exterior angle bisector**, while a bisector of an angle β (which is simply a line oriented in the opposite direction as the interior angle bisector) is not given any special name.

The sum of the angles γ_i in a convex polygon is equal to 2π radians (360°), since this corresponds to one complete rotation of the polygon.

SEE ALSO: Angle, Complementary Angles, Exterior Angle Bisector, Exterior Angle Theorem, Regular Polygon, Supplementary Angles, Vertex Angle

REFERENCES:

Zwillinger, D. (Ed.). *CHC Standard Mathematical Tables and Formulas*. Boca Raton, FL: CRC Press, 1995.

CITE THIS AS:

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